.THE COURTS.

Miseries of Matrimonial Misalliances.

A LITERARY MAN'S ESTATE.

Extradition of the Alleged Forgers of the Baron D'Acosse Post Obit.

ONE OF TRINITY CHURCH LEASES.

The courts continue to be actively employed in the adjudication of divorce suits. First in yesterday's list was a case submitted to Judge Sedgwick, of the Superior Court, for arbitration. Ferdinand Wedneyer, the plaintiff in this action, became happy Benedick in May, 1869, when everybing looked rosy and bright. He now claim that his fair bride deceived him at the very threshold of their marital career. He charges that she induced him to believe that she was a widow, rejoicing in the sobriquet of "Widow Fogh." It now appears, according to his statement, that the man from whem she derived this appellation was alive and doing well at the time their nuptials was colobrated; was even blissfully ignorant of the childish and innocent pranks of his better half, and permitted Mr. Wedmeyer to marry his wife without lifting his finger. Mr. Wedever says it is true that Fogh is not now a resident of this terrestrial sphere, and that he is informed that the demise of the gentleman took place some time in 1875, but thinks his wife ought to be punished for this wile deception practised upon his creduity, and that

wile deception practised upon his creduity, and that he should to relieved from Mrs. Fogh-Wedmeyer as speedily as the law will allow. With this end in view he has brought a suit in the Superior Court for absolute divorce on the ground that the marriage was void ab initio. Emilie, the alleged deceptive wife, quondam widow Fogh, says that this is all non-sense; that nor husband knew all about her marriage with Fogh when he married her, and that he only wants to get rid of her. Judge Sedgwick yesterday gave an order of reference in the case.

Next on the list is a divorce suit in which the nomenciature of the parties is somewhat remarkable. The name of the plaintiff is Mary Emily Stackenholz and the defendant Carl Frederick Wilhelm Arnold Stuckenholz. According to her statement they were married on July 16, 1869, and have one child living, the fruit of such union. The charge on which she brings her suit is that of adultery, and what adds helnousness to the charge, if true, is designating the sister-in-law of her husband as the particeps crimins. Mesatime her husband, as she alleges, has betaken himself to "fresh fields and pastures new," and all her endeavors to find him have proved unavailing. Upon an application made on her behalf yesterday Judge Davis granted an order to serve the summons by publication.

In the divorce suit of William F. Morgan against

mons by publication.

In the divorce suit of William F. Morgan against Caroline L. Morgan, a motion was made yesterday before Judge Robinson, in the Court of Common Pleas, to open the decree of divorce granted in June last, on the ground that the planniil was himself guilty of adultry. The Court took the papers.

The referce's report granting a decree of divorce in

the ground that the plannill was himself guity of adultery. The Court took the papers.

The referee's report granting a decree of divorce in the suit brought by Elia Steinbardt against her husband, Michael Steinbardt, on the ground of adultery, was yesterday filed in the Court of Common Pleas.

Laura K. Ryan appears to be unsuccessful in recovering altimony from Peter J. Ryan, her busband, magninst whom she has a divorce suit pending. A motion was made to punish him for contempt of court in not paying such altimony, but he showed he had already paid out all the money he had to lawyers, and that consequently it was an impossibility to pay any more. Judge Davis yesterday denied this motion, so that although Ryan may be held in contempt by his wife he is not held in contempt by the Court.

Mary And Devoc having sued for divorce from her husband, Isaac L. Devoc, application was made yesterday to Judge Davis on her behalf for the custody of her three children and for alimony. The Court took the papers.

A LITTERATEUR'S WILL.

The will of the late Edward Isidore Sears, LL. D., ditor and proprietor of the National Quarterly Review, nas been effered for probate and contested by the ors at law and next of kin. Mr. Sears died in Decemper last at the Grand Central Hotel, leaving a widow and several heirs at law. He bequeathed to Manhaitan Colge, his library, consisting of 3,000 volumes in various languages-ancient and modern, each volume to have is name conspicuously stamped or printed thereon, and all his philosophical apparatus and instruments. on the errection of his monument on his lot in Green-wood Cemetery, to be inscribed with a Latin epitaph wood Cemetery, to be inscribed with a Latin epitaph composed by hinself. To his brother Mark, Head Constability of the Royai Iriah Constability, he left his stem-winding watch and ring, with the arms and motto of his family engraved thereon, together with other articles of personal jew-elry. His diamond ring and breastpin, together with his furniture, he leaves to his wife Catharine Irvine Sears, with his interest in the Review, to be confinced by her. All his real estate, consisting of the brown stone front houses and lots No. 244 East Forty-mith street and No. 106 East Sixty-Grist Street no devised to the trustees of the animating College to maintain a Latin professorship to be called the "Sears Professorship," and the trustees are directed to pay to his widow an annuity of \$1,500 per annum, the same to be in fieu of dower. The executors named are Rev. Brothers Patrick, Paulian and Anthony, of the Carlstian Brothers, and Dr. D. A. Anthony, of the Christian Brothers, and Dr. D. A. Gorton and the testator's widow executrix. When the will was ofered tor probate the heirs at law and next of kin—sarah Curran, Mark Sears and Maria Sears—filed objections thereto on the ground that the will was invalid, it having, as they allege, been procured through fraud, circumvention undue influence and coercion on the part of the executrix and other persons unknown; that the devised more than one-half of his estate to literary and charitable purposes, contrary to law, and that the amount devised to Manhattan College is greater than the institution is allowed to hold. The contest was begun yesterday, before Surrogate Calvin, on the part of the heirs at law, when some preliminary testimony was taken. The contest promises to be a prolonged one, and a great deal of interest appears to be fettas to the result.

THE ALLEGED BELGIAN FORGERS. The case of the alleged Belgian forgers, Jean Bapliste Henri Vendorve pen and his wife, née Jeannette Damas, which was brought before Chief Justice Johnson, in the United States Circuit Court, on a writ of habeas corpus, was yesterday decided so far as the dismissal of the writ is concerned. The accused were arrested in Goshen, Ind., on a warrant is-sued by United States Commissioner Kenneth G. White, on documentary testimony fur-nished by the Belgian government, of which country they are citizens, and on an application founded thereon for their extradition soon after their arrival in this city they were brought before Commissioner White, who, upon the affidavits and evidence presented in Court, put them on their defence. The accused were then taken on habeas corpus before Judge Johnson and a motion was made for their discharge which was very ably argued by ex-Judge Whitam D. Shipman on the ground that the treaty provisions of 1874, by virtue of which they were arrested, did not reach the case; that the alleged offence was committed prior to the ratification of the treaty, and that the treaty was retroactive only in cases of murder and arson. Vensorvelpen and his wife, it will be remembered, are congred with the lorgery of a post obit amounting to 300,000 francs chargeable to the estate of the late Baron D Acosec; that after their railure to prove the genuineness of the tion founded thereon for their extradition soon when criminal proceedings were about being instituted against them, then they came to this country where they were arrested and proceeded against as stated, Judge Johnson in dismissing the write any that the illeged offence comes within the provisions of the treaty both as to time and substance; the treaty having been ratified April 30, 1574, and the commission of the alleged offence was on and after May 1, 1574. With regard to the functions of the Commissioner in extradition cases Judge Johnson says that the jurisdiction of the Commissioner is complete when the prisoners are brought before him under the statute and treaty. If he declares the evidence sufficient to sustain the charge ne must certify the same to the Secretary of State. It is the day of the Commissioner to judge of the evidence, and recitier the duty nor the power to review his action has been conterred upon any other judicial office. If it then appeared to the President upon a review of all the evidence that the charge is not sustained be can see the prisoner at liberty. The write were dismissed, and the prisoners remainded to the custody from which they were taken.

THE TRINITY CHURCH LEASE CASE. In the case of the trustees of Trinity church against the Greer-Turner Sugar Refluing Company, submitted by the Register in Bankruptcy to Judge Blatchford and reported exclusively in the HERALD of Sunday last, decision was rendered yesterday. Judge Blatchford, on the points submitted to him, with argument of counsel on both sides, says:—"By the terms of the lease it is not assignable without consent of the lessors. I do dot see how the Court can sell it, and under the eircumstances no one would buy the building if the Court should undertake to seil. Moreover, it seems to me that by a fair construction of the lease the leases had no right to remove the building unless the ground rent was all paid, and that, therefore, the leasers had virtually a lien on the building for the ground rent. The ground rent, aiready the ground rent, aiready set due, is over \$14,000, reckoning taxes and water

rents. By the lease the lessors had the right to reenter on failure of the lessees to pay the ground rent.
The re-entry is only as to the land. And after the reentry the equitable rights of the lessees, through the
assignee in bankruptey to leave the trust in the
hands of the lessors executed, will remain—the trust
being one to held and to use and to rent and sell the
building as security for the back ground rent, and pay
the back ground rent out of the proceeds and turn
over the surplus to the lessors. But what purchaser
there could be for the building except the lessors
themselves—and that at a mere nominal price—
it is difficult to see. The trouble lies in
the fact that the lessees put their money
into a building erected under such a lease. I see no
way but to let the lessors re-enter; then the assignee
can bring such suit as he may be advised. He is anable
to pay the rent which has accrued since the oankruptcy, and if he cannot do that I see no justice in
withholding possession from the lessors. If any other
solution of the difficulty can be suggested I will hear
parties on notice."

NORTHAMPTON BANK ROBBERY.

William Connors, who is charged with being one of the robbers of the Northampton Bank, from which nearly \$1,000,000 was stolen, was again brought before Judge Brady in the Court of Oyer and Terminer yesterday upon a writ of habeas corpus. Mesers. Charles W. Brooke and William F. Kintzing, who appeared as counsel for Connors, claimed his discharge upon the ground of its appearing upon the face of the return that the magistrate who committed him had no juris-diction of the offence. Messrs. John R. Fellows and diction of the effence. Messrs, John R. Fellows and H. C. Allen, who appeared on behalf of the bank, said they had no object on to his being discharged upon the commitment of the magistrate, and Judge Brady so ordered. Immediately upon his discharge, and before he had time to leave the court room, he was rearrested by a deputy sheriff, upon a warrant of requisition from the Governor of the State, commanding his arrest and delivery over to Detective Pinkerton for removal to the scene of the robbery. Counsel again applied to Judge Brady for another with, which was granted, returnable forthwith. Mr. Fellows, as a return to this writ, produced the warrant of the Governor, which was traversed by the counsel for Connors, claiming that the Connors now under arrest was not the Connors mentioned in the warrant; that the accused was innocent of the charge, and that he had never been within the jurisdiction of the Massachaetts authorities and therefore was not a legitive from justice. Issue having been jouned, Judge Brady adjourned the further hearing of the case until to-day, when he will hear the proof offered by the counsel for the bank going to establish the identity of Connors and the fact whether he is a lugitive from justice.

In the suit of Albert Brett against the Phenix Life Insurance Company and the Continental Life Insurance Company, Judge Davis yesterday granted an order staying all proceedings on the part of the plain-tiff until after the fling of security for costs.

Horatio F. Liftchild, having been three months in Ludlow Street Jail for non-payment of a judgment found against him, applied yesterday to Judge Davis for a release. Mr. F. C. Bowman was appointed assignce of his effects preliminary to deciding the question of his discharge.

There was quite a lengthy argument yesterday before Judge Davis on the application to fix ball in the case of Weinberge, the banker, recently arrested under the

Stilwell not. The Court took the papers.

Edward Crowley asked for the custody of John
Crowley, his grandson, now living with Ellen White.

Judge Davis eysterday granted a writ of habosa corpus the grandson in court.

Anne McCormick some time ago was yno over by one of the cars of the New York Central and Hidden River Hairrad River Rive

the fact of decreasing a firm maving acted without ma-lice in their attachment suit would not defeat plain-tiff's right of recovery, and that the plaintiff's indebt-edness to Catlin, Brundrett & Co. could not be set off in this action. After being out for several hours a verdict was returned for plaintiff for \$1,900 damages. Mr. Henry Weble appeared for plaintiff and Rastus S. Rankom and D. C. Briggs for defendants.

DECISIONS. SUPREME COURT-CHAMBERS.

BUPREME COURT—CHAMBERS.

By Judge Davis.

Buner vs. Rowe; Barry vs. McDonald; Delafield vs.
May; Forris vs. Sage; Deyo vs. Hutchins; Anderson
vs. American Shovel Company; Guldan vs. Mittnacht
(Nos. 2 and 3); Havemever vs. Fowler; Town vs. Willams; Phillips vs. McGloskey; Berry vs. McDonald;
Rogers vs. Matthy; Butler vs. Haght.—Granted.
Devoe vs. Devoe; Union Dime Savings Institution vs.
Wendel; Sofield vs. Hoffman; Lago vs. Lockman; Audenreid vs. Litchlied; Fowler vs. Commercial Warehouse Company; American Shovel Company vs. Keck;
National Tube Works Company vs. Harway.—Orders
granted.

Marx vs. Krooks.—Order granted discharging recoiver.

Detwiller vs. Bowen.—Motion granted.
Ryan vs. Ryan.—Motion denied, without costs.
In the matter of McCoon.—Mo notice given.
Thompson vs. Hasee.—Motion granted; case to be
put on short cause calendar for second Friday of
March next.

White vs. Gilbert.—Motion granted and reference
ordered to Mr. Albert Stickney to hear, try and determine.

Bamberger vs. Hyams.—Motion granted; ordered
that it be referred to Mr. George W. Parsons to hear,
try and determine, and take and state accounts, &c.
Cleary vs. Donovan.—Ordered that motion stand
over to the first Monday of March, to be heard at the
same time with the motion for leave to amend, &c.

SUPREME COURT-SPECIAL TERM. By Judge Van Vorst.

Dambman vs. Schulting.—Findings and decree signed.

COMMON PLEAS-SPECIAL TERM.

By Judge Robinson.
Grumm vs. Mochring.—Motion to strike out answer as trivolous denied, with \$10 costs.
Tilton vs. The United States Life Insurance Company.—Motion to strike out part of complaint denied, with \$10 costs.
Steinhardt vs. Steinhardt.—Decree signed.

SUPERIOR COURT-SPECIAL TERM. By Judge Speir.

Daly vs. Munro et al.—Judgment for plaintiff.

Opinion.

By Judge Sedgwick.

Donovan vs. The Board of Education.—Ordered on general calendar.
Southerin vs. Hamburger,—Order denying motion to vacate order of arrest.
Smith vs. Schwarzehild et al.—Order dismissing

proceedings.

Davis vs. The Broadway and Seventh Avenue Railroad Company.—Plaintiff's complaint dismissed.

Baycken vs. Gotsel et al.—Order denying motion to
vacate order of arrest.

Wilson vs. Davis.—Order denying motion and vacating order of arrest.

Hindekofe vs. Lang et al.—Order that commission
issue.

Wedomeyer vs. Wedemeyer.—Order of reference to Hou. John M. Barbour.
Richardson vs. Hooper; Meyer vs. Vilmar; Clifford vs. Dawe; Lord vs. Alien, and Wilson vs. Davis.—Orders granted.

MARINE COURT-CHAMBERS.

MARINE COURT—CHAMBERS,

By Judge McAdam.

Dexheimer vs. Ulrich.—The cause of action set forth in the affidavit on which the attachment issued is the debt itself and not the mortgage. It is sufficiently stated. The case in 3d N. Y., 264, has therefore no application. The proofs show the debt is unpaid. The case in 40 Bark, 158, has therefore no application. These embrace all the objections urged. Motion denied; no costs.

Brush vs. Lorene; Viostairsky vs. Stevenson; Kalt vs. Hitz; Schoute vs. Hamilton.—Motions granted.

Wylie vs. Gibba.—Order to pay over moneys.
Raynolds vs. Hermes; Pairo vs. Evans; Kohn vs. Ehrlich; Loem vs. Hone.—Defaults noted.

Dyer vs. Feller.—Motion denied; no costs.

Arnold vs. Allea; Singerland vs. Hardie.—Commissions ordered.

O'Donnell vs. Kahn; Newschaler vs. Hirt; Lewis vs. Major.—Complaints dismissed.

Pignolet vs. Haverty; Secover vs. Lowenthal; Tucker vs. Scheridas.—See decision filed with papers.

Stuber vs. Schwartz.—Writ of inquiry granted.

Leslie vs. Bloomburg.—Order of paolication granted.

Sauger vs. Setgas.—Attachment ordered.

Ege vs. Wood; Emmens vs. Behrenz; Cohn vs. Solomon; Hans vs. Tiley; Daunenbauer vs. Strouss; Cudberth vs. Keene; Comte vs. Ponsichi; Ryan vs. Farley; McCautry vs. Quinton; Clip vs. Dillenberg.—Orders granted.

By Judge Goepp.

Rogers vs. Reeves.—Findings settled.

By Judge Goepp.
Rogers vs. Reeves.—Findings settled.

GENERAL SESSIONS-PART 1. Before Judge Gildersiceve. RECEIVING STOLEN GOODS.

Frederick S. Browne, alias Osborno, was arraigned at the bar charged with receiving stolen goods. It appeared that on the 8th of December last Norton F. the influence of liquor, accompanied a woman named the influence of liquor, accompanied a woman named Neilie Osnorne, to a liquor store at the corner of Mercer and Prince streets. Plant was relieved of his gold watch, locket and scaripin by the barkeeper, Edward McLeary, aided by the prisoner, the husband of the woman mentioned. The loss was reported by Mr. Plant at the Fifteenth precinct station house, and the prisoner was arrested by Detective Sievin, McLeary meanwhile having fled. The prisoner was put on trail yesterday by Assistant District Attorney Bell. The woman Neilie Osborne was examined at length. See proved that the robbery had been committed by the prisoner and McLeary. He was found guitty and sentenced to four years and six months in the State Prison.

thumb. His business was to explain how he lost such thumb and to prove that James Perry was guilty of maybem on account of its loss. He claimed that he was on the corner of Spring and Washington streets when Perry, without any provocation, assaulted him as he was quietly standing there, during the progress of which he got his thumb into his mouth and bit upon it with such savage severily that it had to be amputated. He stated further that he called out for assist ance, which resulted in the pursuit of Perry, who, immediately after the assault, fled and his capture. The complainant was vigorously cross-examined by Mr. John O. Mott, the prisoner's counsel, which resulted in developing the true inwardness of the case and putting an entirely different construction on the affair. It was shown that Howard was in a hallway adjoining with a woman, that Perry was in a drinking saloon near by, when, hearing his name called, he went into the hallway, where the difficulty occurred. The defendant testified that immediately upon going to the hallway Howard attacked him and undertook to bite off his nose, and at the same time thrust his thumb into Perry's mouth, when he tried to gouge out his check with his thumb and; to prevent which Howard shut down his molars on the intruding thumb, and thus that thumb afterward ceased to be an integral part of Howard's arationy. An excellent character was shown for the prisoner. Mr. Mott, in summing up, cited a decision of the Court of Appeals, showing that there could be no mayhem without a lying in wait, and that, therefore, the charge in the indictinent was not sustained. The Judge so charged, and the jury acquitted the prisoner without leaving their scats.

THE KNIFE AGAIN. ance, which resulted in the pursuit of Perry, who,

THE KNIFE AGAIN. James Nugent, of No. 10 Market street, stabbed Hugh Lennon, of No. 239 East Twenty-eighth street, in the abdomen on the 1st of January, 1876. He pleaded guilty to the charge of assault and battery and was sent to the Pentientiary for one year.

ALLEGED ROBBERY. Thomas Degnan, of No. 508 West Forty-fourth street,

was charged with an attempt at robbery in the first degree. It was claimed that while Mr. John Oises, of No. 131 West Twenty-seventh street, was walking up Sixth avenue on the street, was walking up Sixth avenue on the morning of the 18th of October, he was attacked by the prisoner, who upon an alarm being raised ran off. He was subsequently arrested. In cross-examination by Mr. Edmund E. Price, who defended the prisoner, the complainant said he did not think the prisoner intended to rob him, and it having been shown that Mr. Olsen requested him to knot a tie, and that he then shouted for the police, the jury returned a verdict of not guilty.

GENERAL SESSIONS-PART 2. Before Judge Sutherland, "ALL FOR HER."

A sour-visaged young man named Matthew Hamill, aged twenty years, was arraigned at the bar by Assistant District Attorney Rollins, charged under the following peculiar and romantic circumstances:—It appeared that about two years ago the prisoner was n the habit of lottering in the vicinity of Mott street, where at No. 308 resided Elizabeth Clabby, a girl of fourteen summers. Matthew was constant in his attentions, but his suit was not successful. Ascertaining that Elizabeth was about to inform her parents that he had made improper proposals to her, he be this suit. She says she is utterly unable to pay any costs, and that her sole reliance is on the justice of her classe. Judge Davis took the papers, reserving his decision.

Messers. Catlin, Brundrett & Co., merchants in this city, in March, 1875, obtained an attachment against Philip Franklin, a retail dry goods dealer, alleging that he had obtained merchandise from them upon fraudulent representations. A levy was made on the goods of the latter and they were sold. The complaint, however, was dismissed at the trial term on technical grounds. Plaintiff took an appeal from that decision, which appeal is now pending and undecised. In the meantime Franklin commenced a counter suit against Catlin, Brundrett & Co., setting forth the lasts stated, and alleging that in consequence his business was broken up and his credit and reputation injured and expenses entailed on him, for all of which he claimed \$30.000 damages. The case came on for trial on Wednesday last in the Superior Court before Judge Freedman and District Attorney Rollins prosecuting. Miss Clabby came enraged, and on the 16th of March, 1875, rushed

told her story of persecution with tears in hor eyes, and evidently won the sympathy of all in court save perhaps the prisoner bimself. He denied having fave the pistol, but admitted having thrown it at the complainant, and made other confessions not calculated to create an impression in his favor. He was convicted of assault with intent to do bodily harm, and Judge Sutherland sent him to the State Prison for the term of four years.

David Dawsey, colored, and Maria Deviin, a white woman, who said she was his wife, were convicted of robbery in the first degree, having on the 7th inst. beaten and robbed Pierre Moutie, a native of the East Indies, at No. 59 Thompson street. The prisoners were sent to the State Prison, each for the term of seven years.

James Ryan, aged seventeen, of No. 248 Mulberry street, cut and stabbed Pasquale Giardullo in the face upon the 4th of January last. He pleaded guilty to upon the 4th of January last. He pleaded guilty to the charge of assault with intent to do bodily harm, and was sent to the State Prison for two years. John Norton, aged twenty, of No. 115 Elizabeth street, pleaded guilty to the charge of stealing clothing from No. 128 Broad street, the property of Thomas H. Bently, valued at \$30, on the 14th of January last. He was sentenced to one year's imprisonment.

William S. Wood, twenty-tour years, of Buffalo, pleaded guilty to the charge of stealing a box of clothing from the store No. 441 Broadway, on the 9th inst. He was sent to the State Prison for two years.

OVER AND TERMINER. Before Judge Brady. ROBERT GARRITY, THE ALLEGED CART RUNG MURDERER.

There was commenced yesterday in this court the trial of Robert Garrity, indicted for murder in the first degree for killing John Smith with a cart rung on the degree for killing John Smith with a cart rung on the Fourth of July last. The prisoner is defended by Mr. William F. Howe, and the prosecution is represented by Mr. Horace Russell, who claims the case to be one of wilful, deliberate murder. Three was much discussion over the empanelling of the jury, and after cight were selected and sworn Judge Brady adjourned the case until next Friday morning, at half-past ten o'clock.

Kenny and Peter Keily, burglary; Same vs. Leonard Neihoff and David Skiff, burglary; Same vs. Charles Scaffergood, burglary; Same vs. Martin Reichert, grand larceny; Same vs. Joseph Siater, grand larceny; Same vs. Joseph Ford, grand larceny; Same vs. Frank Smith, petit larceny.

COURT OF APPEALS.

ALBANY, N. Y., Feb. 20, 1877. In the Court of Appeals, Tuesday, February 20:-

In the Court of Appeals, Tuesday, February 20:—

MOTIONS.

People ex rel. Burroughs vs. Brinkerhoff.—Motion to amend remittitur as to costs. S. Hand for motion and Bradford Prince opposed.

APPEALS FROM ORDERS.

No. 398. In re Gardiner.—Reargued by Hugh L. Cole for appellant and James A. Deering for respondent.

No. 430. People ex rol. Tradesmen's National Bank vs. the Commissioners of Taxes of New York.—Argued by Hugh L. Cole for appellant and H. Barnard for respondent.

by High L. Cole for appearance of the spondent.

No. 428. In re Brady.—Argued by G. Langdon Ward for appellant and George W. Vanslyck for respondent.

No. 429. Ward vs. Roy.—Argued by S. Hand for appellant and J. McGuire for respondent.

No. 205. Whitehead vs. Kennedy.—Argument re-

No. 203. Whitehead vs. Kennedy.—Argument resumed.

DECISIONS.

The following decisions were handed down:—
Order allirmed, with costs.—In the matter of the application of Edward A. Gardner for a mandamus to the clerk of the Supervisors of Kings county; the People ex rel. McAlister vs. Lynch.
Judgment affirmed.—People ex rel. McCann vs. Kilbourn; People ex rel. Lansing vs. Tremata.
Judgment modified so as to authorize the appellant at any time to apply to the Supreme Court to have the fund delivered to her upon her giving security as mentioned in opinion, and judgment as thus modified affirmed and the costs of both partles in this Court to be paid out of the fund in controversy.—Livingston vs. Murray.

Judgment affirmed, with costs.—Johnson vs. Morgan; People ex rel. Kresser vs. Fitzsimmons; Laverty vs. Suethern.
Judgment of General Term reversed and that of

Southern.
Judgment of General Term reversed and that of Special Term sillimed, with costs.—Odell vs. Montross.
Appeal dismissed, with costs.—The Union Consolidated Mining Company vs. Raht.
Judgment reversed and new trial granted, costs to abide event.—Flood vs. Mitchell.
CALENDAR.
The following is the day calendar for Wednesday, February 21:—Nos. 431, 432, 433, 206, 204, 182, 195, 18734, 207, 427, 101.

THAT HANDSOME BARTENDER.

A PRUSSIAN LIEUTENANT AND A MILLIONNAIRE'S SON IN DISGUISE-THE TRIALS OF A TOO CONFIDING CHAMBERMAID.

A handsome young German, with quite a military air, walked into Essex Market Court yesterday moroing, and, stepping up to the Judge's bench, said he was Richard von Kronig, and was there to answer a charge of desertion preferred by a woman named Charlotte Koch. Von Kronig acted in a very dignified manner while addressing Judge Murray, and told His Honor in a few words that the complainant had no claim whatsoever on him; that, in fact, he was not married to her, though he admitted that he had been intimately acquainted with her for some time past. In a subsequent conversation with Judge Morray the accused told the following story:—He is the son of Richard von Kronig, Sr., one of the wealthiest residents of Anhautt Dessau and Judge of the Circuit Court of Anhautt Dessau and Judge of the Circuit Court of Anhautt Dessau and Judge of the Circuit Court of Anhautt Dessau and Judge of the Circuit Court of Anhautt Dessau and Judge of the Circuit Court of Anhautt Bernberg. He entered the Prussian army at an early age and remained in it till he rose to the rank of illrst heatenant in his regiment, in which he served through the late Franco-Prussian war. After leaving the army he intulged in a long course of dissipation, became a deep drinker and heavy gambler, and finally embarked for this country to get rid of his debts, troubles and old associations. He landed in New York with very little money, and after seeking employment for some time finally accepted a situation as partender in Buchelster's Hotel, in Fort Lee. Chariotte Koch, a line looking German girl, was employed in the seme place, and thus the acquaintance between them sprang up. Charlotte claims that they lived together as man and wife till a child was born to them, when yor Kronig leither to ber late. She came to New York penniless and to look for her recreant lover, and, being taken very sick here, was sent to the Charty Hospital on Blackwell's Island, where she is now lying in a convalescent state. Judge Murray committed Van Kronig till Charlotte can be brought to court to testify. had no claim whatsoever on him; that, in fact, he was

MICHAEL CLANCEY'S DEATH.

A LETTER FROM THE CHAPLAIN OF CLINTON

CLINTON PRISON, NEW YORK, Feb. 19, 1877.

TO THE EDITOR OF THE HERALD:officers of this prison, myself included, against the charge which has recently been made through your columns of inhuman treatment in the case of the late Michael Ciancey? The charge is a very serious one. It Michael Ciancey? The charge is a very serious one is not that of mere rough usage on the part of some not over polite keeper, but it is that of unfeeling, cruel and most criminal conduct, in which every officer is either directly or indirectly implicated. The reasons given for the charge cannot be alleged for anything less than this—they mean this or nothing. Now, it would not be worth while to take up valuable space in your paper for a defence before such of your readers as are in the habit of carefully analyzing what they read, because the very gravity of the charge contains its refutation. But there is a very large class of readers who are deeply interested in prison matters because they have sons or brothers or husbands in ings, will catch at and devour eagerly every item of interest connected with the prisons, without stopping to reflect. In behalf of these and to set matters right with them I ask space for this communication. Their load is beavy enough now without adding to their griet by groundless stories of crucity and injustice,
The inhumanity and criminal conduct charged

against us involve the following absurdities:—

Pirst—That it is possible for a Board of Inspectors, elected by the people, to appoint an entire corps of

There was common content control with a court the print of Robert Garray, pudiced for marden in the state degree for killing John Smith with a cart rung on the Fourth of July Jan. The princer is defended by the properties of the Print of July Jan. The princer is defended by the properties of the print of July Jan. The princer is defended by the print of the print of

press company; and so the remains reached New York about three and a half days after death. In due time I received a letter written by some friend in Mrs. Clancey's name, asking for an explanation of certain marks upon the face, &c. Of course, it came within the province of the physician to answer such inquiries, so I passed the letter immediately to him and sent a postal card by return mail acknowledging the receipt of the letter of inquiry, and informing Mrs. Clancey that she would hear from the physician. This officer wrote at once, explaining the whole matter, to the effect, viz:—That the bruises on the face were the result simply of an accidental falling upon the iron frame of the cot while the patient was in a delirious condition; that the fractured rips were the result of a post mortem examination; that the marks on the back were a part of the phenomena of dissolution.

Now, I would like to ask a question or two. Did my acknowledgment of the receipt of Mrs. Clancey's letter of inquiry by one mail and the physician's answer by another mail both fail to reach their destination? If so, why was not the effort to obtain information renewed on the charitable supposition that the first letter might have miscarried? If they were received why were they wholly ignored and the impression given out that no explanation had been made by either physician or chapisain. If the explanation was not satisfactory, why were we not advised to that effect? Why was not Mr. Anderson, one of the inspectors and a resident of Brooklya, called upon to look into the matter? Why were not these things done before rushing into print?

I have omitted many facts for the sake of making this communication as short as possible, and many facts of a more private nature that would show an immeasurable distance from lanumanity in the treatment of Michael Clancey, Respectfully yours,

HOPELESSLY DEPRAVED.

"Well, madam, what complaint have you?" said Judge Ofterbourg to a rather comely looking woman, about forty years of age, yesterday morning. "This is my daughter, sir," pointing to a young girl,

hardly eighteen, who stood at the other side of the railing, "and I want to have something done with her. I found her in a bad house, in Greene street, last

I found her in a bad house, in Greene street, last night."

"What do you want done?" said Judge Otterbourg.

"What do you want done?" said Judge Otterbourg.

"I think I have seen that girl before."

The mother, whose name was Mrs. Annie King, answered. "Oh, I think if she was sent to the House of the Good Shepherd she might change her ways.

Here the young girl broke in velnementy:—"What's the use of taking such stuff as that. You know you sent me to the House of the Good Shepherd when I was only thritten years old and it didn't do me any good. I was there three years, and I got out, and then I was two years in the House of Reture, and after that six months on the Island. I am determined to be just what I am and nothing else, and if I was sent up for five years I would come out just the same."

Judge Otterbourg—You hear what she says. I don't see any use in sending her to the House of the Good Shepherd. If you like I will commit her to the Island, Judge, Wouldn't you send her to the House of Retuge?

Judge. Wouldn't you send her to the House of Reinge?

Judge Otterbourg—She is too old for that place. If you don't want her to go to the Island I will have to discharge her

Annie King, for such is her name, left the court with a bold, defiant look on her young, fresh countenance that was painful to see.

YOUNG BURGLARS.

Henry Stein and Otto Burnett, two young lads, about nineteen years of age, were arranged before Judge Otterbourg, at the Wasnington Place Police Judge Otterbourg, at the Washington Place Police
Court, yesterday, on a charge of burglary, and committed in \$1,500 bail each to answer. On Monday
might Officer Fieming, of the Twentieth precinct, while
passing the carpenter's shop of Patrick Haughey, No.
334 West Thirty-seventh street, heard a noise within
and tried the door. He found it open, and going inside saw the lads crawling under one of the long
benches. The officer then closed and botted the door
and demanded their surrender. On their persons
when arrested were found a dark lantern and a bunch
of skeleton keys. They gave their names as above.

MARRIAGES AND DEATHS.

MORRELL-McColl. On Tuesday, 20th inst., at the residence of the bride's father, John H. Morrell, Esq., to Minnie, eldest daughter of Duncan McColl, Esq., all of this city. No cards.

DIED.

DIED.

BARR.—On Tuesday morning the 20th inet, Arcus Bald Barr, in the 71st year of his age.

Relatives and friends are respectfully invited to attend the funeral, from his late residence, No. 7 Jane st., on Thursday, the 22d inst, at 11 o'clock A. M. Glasgow papers please copy.

BLARE.—At No. 33 West 25th st., on Tuesday morning, February 20, 1877, Horser K. F. Blarr, aged 22 years, son of Mary Flangan and Captain Hoiner C. Blake, United States Navy.

Notice of Juneral in to-morrow's paper.

CLAYTON.—In Brooklyn, February 19, Richard Clayton, in the 71st year of his age.

Funeral services from Pierrepont House, Thursday, at ten o'clock.

Davis.—In Brooklyn, on Monday, February 19, Maria H. Davis, in the 56th year of her age.

The relatives and friends of the family are invited to attend the funeral, from her late residence, No. 220 Wyckoff st., on Wednesday, 21st inst., at two o'clock. Annapolis (Md.) and New Haven (Conn.) papers please copy.

Dev.—In Brooklyn, on February 20, Hannah Duxles, beloved wife of John Dee, in her 32d year.

Relatives and friends of the family are invited to attend the funeral, from her late residence, 7,33 Bergen at., on Thursday morning, at nine o'clock, to St. Joseph's church, where a solemn requiem mass will be offered for the repose of her soul; thence to Holy Cross Cemetery.

Devery.—On Tuesday, February 20, Patrick Devery, in the 66th year of his age

The relatives and friends of the family are respectfully itwited to attend the funeral, from his late residence, 344 East 59th st., on Thursday, the 22d inst., at one P. M.

Donnelly.—On Tuesday, February 20, of a long and pamilut illiness, Peters, son of Michael and Margaret

dence, 344 East 39th st., on Thursday, the 22d inst., at one P. M.

Donnelly, —On Tuesday, February 20, of a long and paintal filiness, Peters, son of Michael and Margaret Donnelly, aged 45 years.

Funeral from his late residence, 78 Canal st., on Thursday, February 22, at two o'clock P. M. Relatives and friends are respectfully invited.

ELLIS.—On Monday morning, February 19, Margaret Ane, wile of Robert Ellis, aged 61 years.

Funeral will take place from her late residence, 407 West 44th st., on Wednesday, February 21, at one o'c ock.

Fer.—On Monday, February 19, 1877, Bridger, the beloved daughter or Matthew Fee, late of Killygavand and parish of Donaghmore and county Tyrone, Ireland in the 25th year of her age.

The relatives and friends of the family are most respectfully invited to attend her funeral, on Wednesday, 24st inst., from the residence of her lather, 338 Wost 26th st., at ten o'clock sharp, and thence to Calvary Cemetery for interment.

Firenam.—Monday evening, 19th inst., Maria C. Gomes, aged 80 years, relict of Philip Froeman, deceased.

Relatives and friends are invited to attend the

Vary Cemetery for interment.

Freenan.—Monday evening, 19th libst., Maria C., Goele, aged 80 years, relict of Philip Freeman, deceased.

Relatives and fricuds are invited to attend the funeral service, at the residence of her son-in-law, G. R. Hooton, 470 Grand St., corner Leonard St., Brooklyn, E. D., on Thursday, at two o'clock P. M.

New Jersey papers please copy.

Frost.—On Tuesday, February 20, Thomas Frost, Sr., in the Sid year of his age.

Relatives and friends are respectfully invited to attend the funeral, on Thursday, 22d inst., at ten A. M., from his late residence, 750 3d av.

Faversham (England) papers please copy.

Haskell.—On Tuesday evening, February 20, at the residence of her uncle, W. F. Jordan, 134 Howes St., Brooklyn, E. D., Mary E. Harkell.

Relatives and friends of the family are respectfully invited to attend the funeral, from Appleton Mission, corner of Kent av. and Hewos st., Brooklyn, E. D., Thursday, February 22, at two P. M.

Henderson.—February 18, 1877, John L. Henderson, after a lingering sickness, aged 27.

SCHMONS—VOUNG AMERICA COUNCIL, NO 36, O. U. A.

M.—BROTHERS—VOUNG AMERICA COUNCIL, NO 36, O. U. A.

M.—BROTHERS—VOUNG AMERICA COUNCIL, NO 36, O. U. A.

SCHMONS—VOUNG AMERICA COUNCIL, NO 36, O. U. A.

Scharder, John L. Henderson. Memoers of sister councils are irraternally invited to attend a special meeting of the council, at the council chamber, 125 Rivington St., to-day (Wednesday), at twelve M., sharp, to pay the last tribute of respect to our deceased brother, John L. Henderson. Memoers of sister councils are irraternally invited to attend.

H. C. Simpson, A. R. S. JOHN H. VOSS, O. Hell.—Suddenly, on the 20th inst., at Cornwall, on the Hudson, Rachel, wite of James G. Hull, in the 73d year of her age.

Relatives and friends of the family are respectfully invited to attend the funeral, at two c'clock, from the Presbyterian church, Rev. Mr. J. W. Teal. Carriages will meet tend the funeral, on the family are respectfully invited to attend the funeral, on the family are respe

Mary A. Kenr, aged 77 years.
Funeral at St. George's church, Green av., between
Thompkins and Marcy, on Wednesday, 21st itst, at
two P. M. Friends are invited to attend without further

notice.

LANE.—On February 20, CATHARINE A. LANE, relicit of the late Cottrell Lane, of Peterboro, Ont., Canada,

of the late Cotical Lane, of Peterboro, Ont., Canada, aged 72.

Notice of funeral to-morrow.

Canada papers please copy.

LEAYY.—On Monday, 19th inst., in the 46th year of his age, Joseph Leavy, native of the parish of Ardaugh, county Longford, Ireland.

The friends and acquaintances of the family are respectfully requested to attend the funeral, from his late residence, 39 Sheriff st., this (Wednesday) afternoon, at one o'clock.

LETRON.—Suddenly, on Tuesday, February 20, Haxnan, widow of the late flomas Letson, aged 76.

Funeral will take place on Thursday, at balf-past one P. M., from her late residence, 78 Bank st.

LOWEFFELS.—Oh Monday, February 19, after a short illness, Abraham M., eddest son of Emanuel and Henricita Lowenfels, at the age of 20 years.

Relatives and friends of the family, members of Temple Beth-El, Hebron Lodge, No. 5 L. O. B. B., Foechter Lodge No. 1 F. S. of L. are respectfully invited to attend his funeral, on Wedseday, rebruary 21, at one P. M., from the residence of his parents, 159 av. C.

MCCARTRY.—On Tuesday evening, February 20, at

21, at one P. M., from the residence of his params, 139 av. C.

McCarthy.—On Tuesday evening, February 20, at her late residence, 174 East 82d st., Ellen, widow of the late Denis McCarthy, aged 64 years.

Notice of funeral hereafter.

O'REILLY,—On Monday, February 19, ANNIE L., beloved daughter of James and Rose O'Reilly.

Relatives and friends of the family are respectfully invited to attend her funeral, on Wednesday, February

Relatives and triends of the family are respectfully invited to attend her funoral, on Wednesday, February 21, at nine A. M., from her late residence, No. 280 West 19th st., to St. Francis Xavier's church, thence to Calvary Cemetery.

Rivas.—At St. Augustine, Fla., on Thursday, February 15, Ramon de Rivas y Lamar, in the 70th year of his age.

Relatives and friends of the family are invited to attend the funeral, from the Church of the Holy Innocents, corner of 37th st. and Brosdway, on Wednesday, February 21, at ten A. M., without further notice.

Savage.—On February 20, 1877, Mrs. Elizaberh A. Savage, of Fordham, widow of the late John Savage, Esq., in the 69th year of her age.

Notice of funeral to-morrow.

Scorr.—On Monday, 19th inst., Jane Scorr, in the 71st year of her age.

The relatives and iriends are respectfully invited to attend the funeral, from the residence of her son, Robert McDougali, 131 Duffield st., Brooklyn, on Wednesday, 21st inst., at half-past two o'clock P. M., without further notice.

Sind.—On Tuesday, February 20, George W., son of Henry and Catharine E. Sindt, aged 14 years, 2 months and 20 days.

Relatives and friends are respectfully invited to at-

Robert McDougail, 131 Defilied St., Brooklyn, on Wednesday, 21st inst., at heil-past two o'clock P. M., without lurther notice.

Sind. —On Tuesday, February 20, George W., son of Henry and Catharine E. Sindt, aged 14 years, 2 months and 20 days.

Relatives and friends are respectfully invited to attend the funeral, on Thursday, at two o'clock P. M., from the residence of his parents, No. 250 Lorimer, corner Devoe at., Brooklyn, E. D.

NENERKRE.—At Gravesend, February 18, ELIZABERT SNEDEKER, aged 29, widow of the late Jobn R. Snedeker, Relatives and friends of the family are invited to attend her Inperal, on Wednesslay, February 20, Cathend her Inperal, on Wednesslay, February 20, Cathend her Inperal, on Wednesslay, February 20, Cathenists Strauell, in the 67th year of her age.

Relatives and friends of the family are invited to attend the funeral, from the residence of her son, Fred. Stengel, 50 Ludlow st., on Thursday afternoon, 224 inst., at one o'clock.

Straucci.—At College Point, February 20, Dr. Christians Strauch, aged 48 years, 11 months and 25 days. Funeral on Thursday, at eleven o'clock A. M., from his late residence.

Hamburg papers please copy.

Styl.—On Tuesday, February 20, CATHERINE Styl., in her 76th year.

Notice of funeral hereafter.

Taylon.—On the 19th inst., Robert Taylor, in the 45th year of his ago.

The relatives and friends of the family are respectfully invited to attend the funeral services at his interestication, on. 430 West 21st st., on Wednesday afternoon, at three o'clock, without further invitation.

Thomas, Saudenly, on Monday, February 19, ELIZATIONAS, in the 67th year of her age.

Relatives and friends are invited to attend her funeral, from the residence of her nephew, Henry Schlim, on Thursday, February 22, at two o'clock, at 358 Leonard st., Williamsburg.

Whout:—On Monday, February 19, at her residence in Brooklyn, Mrs. Nancy Williams, will be a stend funeral from the Hedding Methodist Episcopal church, Montagomer, st., Jersey City.

New Jersey Sovereign Consistory and th